

Case No: KOMOP0109US

PATENT

CERTIFICATE OF MAILING OR ELECTRONIC TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is
____ being deposited with the United States Postal Service with sufficient postage for first class mail in an
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and Trademark Office to the Attention of Examiner (not yet assigned).

/Mark D. Saralino/
Mark D. Saralino

October 29, 2008
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kenichi MORIMOTO et al.

Application No.: 10/567,285

Filing Date: February 3, 2006

For: POWER SUPPLY DEVICE AND COMMUNICATION SYSTEM

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

**Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

SUPPLEMENT TO PETITION UNDER 37 C.F.R. § 1.47(a)

Sir:

On May 19, 2008, Applicants petitioned to prosecute this application without a declaration signed by Kenichi Morimoto, a co-inventor of the subject patent application. With that Petition, Applicants submitted the petition fee, a statement of Mr. Morimoto's last known address, and a Combined Declaration and Power of Attorney signed by all

the other joint inventors. (See MPEP § 409.03(a) and (d).) In support of the Petition, a declaration of Masaru Nishijima was submitted as proof of Mr. Morimoto's refusal to cooperate.

On September 11, 2008, the Petition was dismissed without prejudice. The Examiner indicates that the following requirements have been satisfied: (1) payment of the fee, (2) a statement of Mr. Morimoto's last known address, and (3) an oath or declaration signed by the other joint inventors. The Examiner, however, indicates that the factual proof of Mr. Morimoto's refusal to cooperate is deficient. The Examiner states that the declaration of Mr. Nishijima would satisfy the proof requirements, except that the supporting documentation was submitted in a foreign language unaccompanied by English translations. The Examiner instructs Applicants to submit English translations of the supporting documentation to corroborate the facts detailed in the Petition.

In accordance with the Examiner's comments, certified translations of the following have been submitted: (1) correspondence from Sharp Kabushiki Kaisha (Sharp) to Kenichi Morimoto dated January 25, 2006; (2) correspondence from Sharp to Kenichi Morimoto dated February 9, 2006; and (3) correspondence from Sharp to Kenichi Morimoto dated January 23, 2007.

Applicants note that one item of correspondence referenced in Mr. Nishijima's Declaration could not be located. In particular, paragraph 5 of the Declaration refers to a letter in January 2006 from Mr. Morimoto to Sharp in which he demands an English translation of the inventor declaration and assignment, and an explanation of their merit. A copy of this letter could not be found. As is apparent from the Declaration, however, Mr. Nishijima has personal knowledge of this letter and its contents. (See Declaration at paragraph 2.) In addition, Mr. Morimoto's demands are referenced in Sharp's letter to Mr. Morimoto of February 9, 2006, a copy of which is part of the documentation along with a certified translation. Applicants submit that Mr. Nishijima's statements, declared as true subject to punishment under 18 U.S.C. § 1001 (see Declaration at paragraph

Application No.: 10/567,285

11), combined with the other documents, provides sufficient proof of Mr. Morimoto's refusal to cooperate.

Accordingly, Applicants respectfully request that the Petition be granted pursuant to 37 C.F.R. § 1.47(a) to accept and prosecute the present application as made by the signing co-inventors on behalf of Kenichi Morimoto.

If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 18-0988, our Order No. KOMOP0109US.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino
Reg. No. 34,243

DATE: October 29, 2008

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113

2006年 1月 25日

森元 賢一 様

〒639-1186

奈良県大和郡山市美濃庄町 492

シャープ株式会社

D開発 C) 特許開発室

TEL/0743-53-5521(内線 3763)

FAX/0743-53-0794(内線 4178)

拝啓

時下ますますご清栄のこととお喜び申し上げます。

森元様がシャープご在職中に発明されました特許を米国に出願（国内移行）するに際し、宣誓書/委任状および、譲渡証へ発明者の方全員のご署名が必要となります。（他の発明者の方には別紙書類にてご署名頂いております。）

今回米国出願を予定しております、特許発明の内容につきまして、PCT国際出願時の特許公報をお送り致しますので、内容のご確認をよろしくお願い申し上げます。

内容のご確認が頂けましたら、同封の宣誓書/委任状および、譲渡証の印画の所へ、フルネーム（英文字筆記体）を黒ボールペンにて2箇所にご署名して頂きたくよろしくお願い申し上げます。

なお、ご署名後は同封しております返信用封筒にて、書類一式をご返送下さいますようよろしくお願い致します。

敬具

【同封書類】

- ・ PCT国際出願時の特許公報
- ・ 宣誓書 (Declaration) 1通
- ・ 譲渡書 (Assignment) 1通

January 25, 2006

Dear Mr. Kenichi Morimoto

Patent Department
SHARP KABUSHIKI KAISHA
492 Minoshō-cho, Yamato-Koriyama-shi,
Nara 639-1186
TEL/0743-53-5521(Ext. 3763)
FAX/0743-53-0794(Ext.4178)

Dear Mr. Morimoto,

With respect to the invention made by Mr. Morimoto while you were at SHARP KABUSHIKI KAISHA, all the inventors are requested to sign on the Declaration/Power of Attorney and the Assignment to file an application for patent in the U. S. (enter the U. S. National Phase). The other inventors have signed on the documents attached hereto.

For your reference, we send herewith a copy of the International Publication of PCT/JP for which an application in the U. S. is being under consideration, so please review the contents of the invention.

On careful review of the contents, please sign your full name (in regular handwriting with alphabets) with a black pen in the two blanks marked with circles on the attached Declaration/Power of Attorney and Assignment.

We would ask you to put the full set of the signed documents in the attached self-addressed envelope and mail it to us at your earliest convenience.

Very truly yours,

enclosures; a copy of the International Publication

Declaration / Power of Attorney to be executed
Assignment to be executed

Application No. 10/567,285

CERTIFICATE OF TRANSLATION

I, Minako Yamane, of Kaede Patent Attorneys' Office, Shinkin Central Bank Building, 1-4-34 Noninbashi Chuo-ku, Osaka 540-0011, Japan, HEREBY CERTIFY that I am acquainted with the English and Japanese languages and that I have read the attached English translation and find it to be a true and accurate translation of the correspondence from Sharp Kabushiki Kaisha (Sharp) to Kenichi Morimoto dated January 25, 2006, submitted in support of the Petition Under 37 C.F.R. § 1.47(a) filed in this case.

Dated this 28th day of October, 2008.



Signature

2006年 2月 9日

森元 賢一様

〒639-1186

奈良県大和郡山市美濃庄町 492

シャープ株式会社

ドキュメントシステム事業本部 特許開発室

関口 正三

(担当: 西島)

TEL/0743-53-5521(内線 3763)

FAX/0743-53-0794(内線 4178)

拝啓

時下ますますご清栄のこととお喜び申し上げます。

先日、お送りいたしました宣誓書／委任状および、譲渡証への署名のお願いにつきまして、森元様より「英文翻訳、詳細な内容（譲渡のメリット）を書面でご説明頂き、納得の上、署名、捺印させていただきたく存じます。」との、ご返事をいただきましたので、これにつきまして、ご説明させていただきます。

① 宣誓書／委任状および譲渡証について

- ・ 宣誓書／委任状および譲渡証は、

宣誓書：発明者であることを宣言するもの。

委任状：米国特許庁への手続きを代理人（米国弁護士）へ
委任するもの。

譲渡証：発明を出願人（シャープ株式会社）へ譲渡したことを
示すもの

であり、米国出願の際に、発明者全員が署名の上、米国特許庁へ
提出する必要があります。

（他の発明者の方には別途署名をいただいております。）

- ・ これら書類は、上記の通り米国特許庁への出願手続きに限定して利
用するものであり、他の目的で利用するものではありません。

② 宣誓書／委任状および譲渡証の英文翻訳について

- ・ 宣誓書および譲渡証の翻訳文を同封しておりますので、内容の
ご確認をよろしくお願ひ申し上げます。

③ 謙渡のメリットについて

- ・ 発明者に対し当社社内規定に基づき、登録報償金／実績報償金が支給されます。

以上の次第でありますので、同封の宣誓書／委任状および、謙渡証の印間の所へ、フルネーム（英文字筆記体）を黒ボールペンにて2箇所にご署名していただきたく、よろしくお願ひ申し上げます。

なお、ご署名後は同封しております返信用封筒にて、書類一式をご返送下さいますようよろしくお願ひ致します。

敬具

【同封書類】

- ・ PCT国際出願時の特許公報
- ・ 宣誓書／委任状 1通
- ・ 謙渡書 1通
- ・ 宣誓書／委任状および謙渡書の翻訳文

February 9, 2006

Dear Mr. Kenichi Morimoto

Masami Sekiguchi
(PREPARED: Nishijima)
Patent Department
SHARP KABUSHIKI KAISHA
492 Minoshō-cho, Yamato-Koriyama-shi,
Nara 639-1186
TEL/0743-53-5521(Ext. 3763)
FAX/0743-53-0794(Ext.4178)

Dear Mr. Morimoto,

As requested in the reply from Mr. Morimoto, saying that you would need translations of the documents and written explanation on the details (and on the advantage of assignment) for your consideration, based on which you would sign on the documents in response to our request for signature on the Declaration/Power of Attorney and the Assignment sent previously, we would like to inform you as follows.

1. Declaration/Power of Attorney and Assignment

The Declaration is for declaring that the signed person(s) is(are) the inventor(s) of the invention for which the application for patent is filed:

The Power of Attorney is for authorizing an agent (an American patent attorney) to act before the USPTO for the prosecution of the application:

The Assignment is for showing that the invention has been assigned from the signed inventor(s) to the Assignee (SHARP KABUSHIKI KAISHA). These documents need to be signed by all the inventors and to be filed with the USPTO when an application for patent is filed in the U. S. (the other inventors have signed the documents).

As you will see, these documents can be used only for the prosecution of an application filed with the USPTO and are not used for any other purpose.

2. Translations of the Declaration/Power of Attorney and the Assignment

Please find enclosed the translations. Please review the contents.

3. Advantage of assignment

Rewards for registration/achievement are paid to the inventors according to the Company Regulation.

If you would kindly understand the above, please give your full name signature (in regular handwriting with alphabets) with a black pen on the two blanks marked with circles on the attached Declaration/Power of Attorney and Assignment.

We would ask you to put the full set of the signed documents in the attached self-addressed envelope and mail it to us at your earliest convenience.

Very truly yours,

enclosures; • a copy of the International Publication
• Declaration / Power of Attorney to be executed
• Assignment to be executed
• Japanese Translations of the Declaration/Power of Attorney and the Assignment

Application No. 10/567,285

CERTIFICATE OF TRANSLATION

I, Minako Yamane, of Kaede Patent Attorneys' Office, Shinkin Central Bank Building, 1-4-34 Noninbashi Chuo-ku, Osaka 540-0011, Japan, HEREBY CERTIFY that I am acquainted with the English and Japanese languages and that I have read the attached English translation and find it to be a true and accurate translation of the correspondence from Sharp Kabushiki Kaisha (Sharp) to Kenichi Morimoto dated February 9, 2006, submitted in support of the Petition Under 37 C.F.R. § 1.47(a) filed in this case.

Dated this 28th day of October, 2008.



Signature

SHARP

2007年1月23日

森元 賢一様

〒639-1186

奈良県大和郡山市美濃庄町492

シャープ株式会社

トキメットシステム事業本部 特許開発室

副参事 西島 優



TEL/0743-53-5521(内線3763)

FAX/0743-53-0794(内線4178)

拝啓

時下ますますご清栄のこととお喜び申し上げます。

さて、この度、森元 賢一様がシャープ在職中に発明されました特許を米国に出願するに際し、別紙書面の手続きが必要となっております。

つきましては、印闇の所へ、フルネーム(英文字筆記体)を
黒ボールペンにて2箇所にご署名して頂きたくよろしくお願い申し上げます。

発明の内容につきましては、和文明細書を添付させて頂きますので、ご確認の程よろしく
お願い致します。

尚、宣誓書／委任状の和訳を同封しますと共に、宣誓書／委任状のご説明をさせていただきます。

① 宣誓書／委任状および譲渡証について

・宣誓書／委任状および譲渡証は、

宣誓書：発明者であることを宣言するもの。

委任状：米国特許庁への手続きを代理人(米国弁護士)へ委任するもの。

譲渡証：発明を出願人(シャープ株式会社)へ譲渡したことを示すもの

であり、米国出願の際に、発明者全員が署名の上、米国特許庁へ提出する必要があります。

(他の発明者の方には別途署名をいただいております。)

・これら書類は、上記の通り米国特許庁への出願手続きに限定して利用するものであり、

他の目的で利用するものではありません。

② 宣誓書／委任状および譲渡証の和訳について

- ・宣誓書および譲渡証の翻訳文を同封しておりますので、内容のご確認を宜しく
お願い申し上げます。

敬具

尚、ご署名後は同封しております返信用封筒にて、書類一式をご返送下さいますよう
宜しくお願い申し上げます。

(ご返却希望日時：事務処理の都合上、1月31日（水）までにご返送戴けると幸甚です。)

【同封書類】

- ・宣誓書／委任状 1通
- ・譲渡書 1通
- ・宣誓書／委任状および譲渡書の和訳 各1通
- ・発明の明細書（日本語・英語） 各1通
- ・ご返送用の封筒 1通

January 23, 2007

Dear Mr. Kenichi Morimoto

Masaru Nishijima
Manager, Patent Department
SHARP KABUSHIKI KAISHA
492 Minoshō-cho, Yamato-Koriyama-shi,
Nara 639-1186
TEL/0743-53-5521(Ext. 3763)
FAX/0743-53-0794(Ext.4178)

Dear Mr. Morimoto,

In order to file an application for patent in the U. S. for the invention made by Mr. Kenichi Morimoto while you were at SHARP KABUSHIKI KAISHA, the attached documentation needs to be filed.

Please sign your full name (in regular handwriting with alphabets) with a black pen in the two blanks marked with circles on the documents.

Regarding the contents of the invention, we are enclosing herewith the Japanese version of the specification for your review.

Please let us explain the Declaration/Power of Attorney of which the translation in Japanese is enclosed herewith:

1. Declaration/Power of Attorney and Assignment

The Declaration is for declaring that the signed person(s) is(are) the inventor(s) of the invention for which the application for patent is filed:

The Power of Attorney is for authorizing an agent (an American patent attorney) to act before the USPTO for the prosecution of the application:

The Assignment is for showing that the invention has been assigned from the signed inventor(s) to the Assignee (SHARP KABUSHIKI KAISHA). These documents need to be signed by all the inventors and to be filed with the USPTO when an application for patent is filed in the U. S. (the other inventors have signed the

documents).

As you will see, these documents can be used only for the prosecution of an application filed with the USPTO and are not used for any other purpose.

2. Translations of the Declaration/Power of Attorney and the Assignment

Please find enclosed the translations. Please review the contents.

We would ask you to put the full set of the signed documents in the attached self-addressed envelope and mail it to us at your earliest convenience.

We would appreciate it if you should return the documents to reach us not later than January 31 (Wed).

Very truly yours,

enclosures; • Declaration / Power of Attorney to be executed
• Assignment to be executed
• Japanese Translations of the Declaration/Power of Attorney and the Assignment
• copies of the Japanese and English specification
• an envelope for return

Application No. 10/567,285

CERTIFICATE OF TRANSLATION

I, Minako Yamane, of Kaede Patent Attorneys' Office, Shinkin Central Bank Building, 1-4-34 Noninbashi Chuo-ku, Osaka 540-0011, Japan, HEREBY CERTIFY that I am acquainted with the English and Japanese languages and that I have read the attached English translation and find it to be a true and accurate translation of the correspondence from Sharp Kabushiki Kaisha (Sharp) to Kenichi Morimoto dated January 23, 2007, submitted in support of the Petition Under 37 C.F.R. § 1.47(a) filed in this case.

Dated this 28th day of October, 2008.



Signature